

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO**

**UNITED STATES OF AMERICA**

**vs.**

**CASE NO. 3:13-CR-00433-10 (JAG)**

**CARLOS RIVERA VELAZQUEZ**

**MOTION NOTIFYING ARREST BY STATE AUTHORITIES**

**TO THE HONORABLE JAY A. GARCIA GREGORY  
UNITED STATES DISTRICT JUDGE  
FOR THE DISTRICT OF PUERTO RICO**

COMES NOW, Gabriel A. Arrillaga-Pedrosa, U.S. Probation Officer of this Court, informing and requesting as follows:

On March 29, 2016, Mr. Rivera-Velazquez was sentenced to a total of seventy-eight (78) months of imprisonment after he pled guilty of violating Title 21 USC, Section 841(a)(1), 846 & 860, Conspiracy to Possess with the Intent to Distribute Cocaine within a Protected Location. A term of eight (8) years of supervised release was imposed. Mr. Rivera-Velazquez commenced his supervised release term on Friday, January 22, 2021 and the same is scheduled to expire on January 21, 2029.

**RESPECTFULLY PRESENTING PETITION FOR NON-ACTION OF COURT AS  
FOLLOWS:**

Prior to his arrest for the instant offense, Mr. Rivera-Velazquez had pending charges since February 9, 2010 at the State level for Violation of Art. 401 of the PR Controlled Substances Law (Distribution), Violation of the Art. 5.04 of the PR Weapons

Law (Possession/Use of a Firearm), and Criminal Contempt. On April 29, 2010, an arrest warrant was issued due to failure to appear in court, and by April 29, 2010 Mr. Rivera-Velazquez was declared a fugitive and the court ordered his arrest for non-appearance with a \$200,000 bond. An administrative closing of the case was ordered until his arrest.

On January 26, 2021, Mr. Rivera-Velazquez surrendered to the State authorities at the Caguas Superior Court for his pending warrant for failure to appear in court. Bond was set at \$200,000 and Mr. Rivera-Velazquez was incarcerated at Bayamon 705 Correctional Institution after failing to post the same. According to the State Attorney's Office, an arraignment hearing has been scheduled for February 4, 2021 at 1000. Mr. Rivera-Velazquez is being charged with the aforementioned articles and with Criminal Contempt.

I declare under a penalty of perjury that the foregoing is true and correct.

**WHEREFORE**, since these pending charges were known at the time of sentencing for the instant offense and since Mr. Rivera-Velazquez was diligent in surrendering to the State authorities to comply with the outstanding arrest warrant upon release from the Bureau of Prisons, it is respectfully requested that the supervision term will be tolled until he is released back to the community. Should Mr. Rivera-Velazquez be released and should he incur in any violations to his supervised release conditions, the Court will be immediately notified for the deemed action.

In San Juan, Puerto Rico, this 3<sup>rd</sup> day of February 2021.

Respectfully submitted,

LUIS O. ENCARNACION, CHIEF  
U.S. PROBATION OFFICER

**s/Gabriel A. Arrillaga-Pedrosa**

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**CERTIFICATE OF SERVICE**

I HEREBY certify that on this date, I electronically filed the foregoing motion with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to all the parties in this case.

In San Juan, Puerto Rico, this 3<sup>rd</sup> day of February 2021.

**s/Gabriel A. Arrillaga-Pedrosa**

Gabriel A. Arrillaga-Pedrosa  
U.S. Probation Officer